

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:22-CV-66-BO


BAIRD STOKES,)
Appellant,)
v.)
BELHAVEN SHIPYARD AND MARINA,)
INC., d/b/a RIVER FOREST SHIPYARD,)
and WILLIAM AXSON SMITH, JR.,)
Appellees.)

ORDER

This matter is before the Court on appellant's *pro se* motion for an injunction. [DE 21]. Appellees have not responded and the time to do so has expired. The matter is now ripe for ruling. For the reasons discussed herein, appellant's motion is denied. [DE 21].

Appellant's motion, like his initial complaint, challenges the bankruptcy court's "Turnover Order" in which the bankruptcy court awarded possession of a contested 39-foot Sailboat to appellees. [DE 19]. The Turnover Order, which this Court affirmed on June 9, 2023, specified that Belhaven Shipyard will maintain possession of the Sailboat until the maritime lien against the Sailboat is paid in full. [DE 1, 19, 21]. At this juncture, the Sailboat is still properly in appellee's possession because appellant has not presented any evidence indicating that the maritime lien has been paid. *See In re Muma Servs., Inc.*, 322 B.E. 541, 546 (Bankr. D. Del. 2005). As a result, appellant's motion for an injunction is DENIED. [DE 21].

SO ORDERED, this 24 day of October, 2024.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE